



1FV

2616

PATENT
P56672

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BON-SEUK GOO *et al.*

Serial No.: 10/087,777

Examiner: PHAN, MAN U.

Filed: 5 March 2002

Art Unit: 2616

For: METHOD FOR TRANSMITTING SHORT MESSAGE USING INTERNET
PHONES AND SYSTEM THEREFOR

**RENEWED REQUEST FOR RESTART OF PERIOD
FOR RESPONSE/PETITION TO THE COMMISSIONER**

Commissioner for Patents
P.O.Box 1450
Alexandria, VA 22313-1450

Sir:

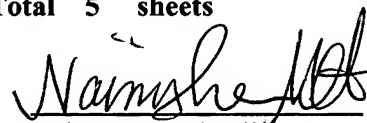
In response to the Office action mailed of 22 January 2007 (Paper No. 20070118) and the Interview Summary of 19 April 2007 (Paper No. 20070419), Applicants respectfully request that the period for response to the Office action be restarted as of the date of the Interview Summary of 19 April 2007. If this request is not granted, then it is requested that this document be treated as a Petition to the Commissioner for restart of the period for response.

Folio: P56672
Date: 4/23/07
I.D.: REB/JGS/nm

**CERTIFICATE OF
FACSIMILE TRANSMISSION**

I hereby certify that, on 23 April 2007, this correspondence is being facsimile transmitted to the U.S. Patent & Trademark Office (Facsimile No. 571-273-8300)

Total 5 sheets


For Robert E. Bushnell
Reg. No. 27,774

FACTS

- (1) An Office action (Paper No. 20070118) was issued on 22 January 2007 in this application.
- (2) The Office action was unclear as to the grounds for rejection of (that is, the references applied against) claims 2, 6 and 10.
- (3) Therefore, on 28 February 2007, Applicants filed a Request for Clarification and Restart of Period for Response.
- (4) As of 19 April 2007 (almost two months later), no response to the Request filed on 28 February 2007 had been received by Applicants' attorneys.
- (5) Therefore, on 19 April 2007, one of Applicants' attorneys (Joseph G. Seeber, Registration No. 27,719) telephoned the Examiner to determine the status of the Request for Clarification.
- (6) After some discussion, Examiner Phan provided the requested clarification, and stated that an Interview Summary would be faxed to the Applicants' attorneys.
- (7) In the telephone interview, Mr. Seeber requested that the period for response to the Office action be restarted as of that date (19 April 2007), and the Examiner agreed.
- (8) On 20 April 2007, the Interview Summary was received by facsimile, and it contained the requested clarification as to the status of claims 2, 6 and 10, but did not contain any statement restarting the period for response.

- (9) On the same day, 20 April 2007, Mr. Seeber telephoned Examiner Phan to request a statement in writing restarting the period for response, but the Examiner did not answer, and thus Mr. Seeber left a voice mail message requesting restart of the period for response.
- (10) On the same day, 20 April 2007, after leaving the voice mail message for Examiner Phan, Mr. Seeber telephoned the Examiner's Supervisor, Wellington Chin, who also did not answer, and therefore Mr. Seeber left a voice mail message for Examiner Chin requesting restart of the period for response.
- (11) As of the date of filing of this Renewed Request for Restart of Period for Response/Petition to the Commissioner, a response from Examiner Phan or Examiner Chin has not been received.

DISCUSSION

- (1) As stated above, the Office action of 22 January 2007 (Paper No. 20070118) was unclear as to the status of claims 2, 6 and 10, making it impossible for Applicants to respond in a proper manner to the Office action
- (2) Applicants filed a Request for Clarification and Restart of Period for Response in a timely manner.
- (3) When no response to the Request was forthcoming after almost two months, Applicants' attorneys telephoned the Examiner and obtained the clarification, and the Examiner agreed to restart the period for response.
- (4) Thus, the clarification was provided by the Examiner on 19 April 2007, one business day prior to the expiration of the three-month period for response to the Office action.
- (5) It is respectfully submitted that it would be unfair to compel the Applicants to incur the expense of an extension fee in order to file a response to the Office action when the status of all of the rejected claims was not clarified by the Examiner until one business day prior to the expiration of the three-month period for response.

ACTION REQUESTED

Based on the above facts and discussion, it is requested that the period for response to the Office action of 22 January 2007 (Paper No. 20070118) be restarted as of 19 April 2007 (the date of the telephone interview).

It is submitted that the facts and discussion set forth above justify a three-month period for response extending from 19 April 2007 to 19 July 2007. However, if a shortened period for response is believed to be appropriate, then a two-month period for response (at the minimum) is requested.

Finally, if this Request is not granted, then it is requested that this document be treated as a Petition to the Commissioner, in which case the Commissioner is authorized to charge the Petition fee to Deposit Account 02-4943 of Applicants' undersigned attorney. A duplicate of this sheet is enclosed.

If there are any questions, the Examiner is requested to telephone Applicants' attorney.

Respectfully submitted,



Robert E. Bushnell,
Attorney for the Applicants
Registration No.: 27,774

1522 "K" Street N.W., Suite 300
Washington, D.C. 20005
(202) 408-9040

Folio: P56672
Date: 4/23/07
I.D.: REB/JGS